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June 15, 2012

VIA ELECTRONIC FILING

Hon. Roanne L. Mann U.S.M.J.
United States District Court
Eastern District New York
225 Cadman Plaza East
Brooklyn, New York 11201

*Application granted
in part. Fact discovery
is extended to August
24, 2012. SO ORDERED:*

Re: **Del Valle v. IUOE Local 14-14B**
Civil Action No. 10-5210 (RLM)

/s/
Roanne L. Mann
U.S. Magistrate Judge
Dated: 6/18/12

Dear Judge Mann:

This Firm represents International Union of Operating Engineers Local 14, AFL-CIO (the "Union") in connection with the above-referenced matter. This letter serves as a joint request on behalf of Plaintiff Louis A. Del Valle (the "Plaintiff") and the Union for an adjustment to the discovery schedule in this matter. Discovery has previously been extended on January 10, 2012, March 14, 2012 and May 8, 2012.

In this regard, the parties jointly request that fact discovery be through September 24, 2012 which is the date that expert discovery concludes. Allowing fact discovery to continue though the expert discovery phase will permit the Union to complete the production of a number of medical records recently received from Mr. Del Valle's medical providers. It will also allow Mr. Del Valle to complete the collection of financial information from third-parties which is necessary to his damage analysis. Additionally, both parties have completed depositions of all the fact witnesses, and there are additional documents to be produced based upon the testimony given in certain areas and amendments to be made to interrogatories responses as a result thereof.

The proposed extension of fact discovery will have no effect on the ability of the parties to complete expert discovery on a timely basis or alter the settlement conference presently scheduled for September 12, 2012.

Thank you for your consideration in this regard.

Respectfully submitted,

/s/ VINCENT M. GIBLIN

Vincent M. Giblin

cc: Antonia Kousoulas, Esq.

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